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CENTRAL FAX CENTER

MAY 13 2004

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**HUMAN GENOME SCIENCES  
LEGAL DEPARTMENT**

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Rockville, MD 20850**

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**FAX COVER SHEET**

**DATE:** May 13, 2004

**TOTAL NUMBER OF PAGES:** 9

**TO:** Examiner R. Swartz - Art Unit 1645  
United States Patent & Trademark Office

**FAX NO.:** (703) 872-9306

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**FROM:** Mark J. Hyman (Reg. No. 46,789)

**RE:** App. No. 09/830,228                          Atty. Docket No. PB370US  
Application of: Fraser et al.                          Filed: September 13, 2002

**The following documents were filed by Human Genome Sciences, Inc.  
via facsimile on May 13, 2004:**

1. Fax Cover Sheet
2. Fcc Transmittal Sheet
3. Provisional Election Under 37 C.F.R. § 1.143 With Traverse And  
Amendment Under 37 C.F.R. § 1.111
4. Certificate of Transmission Under 37 C.F.R. § 1.8

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PTO/SB/17 (10-03)

Approved for use through 7/31/2006. OMB 0651-0032

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) **0.00****Complete if Known**

Application Number	09/830,228-Conf. #3255
Filing Date	September 13, 2002
First Named Inventor	Claire M. Fraser
Examiner Name	R. P. Swartz
Art Unit	1645
Attorney Docket No.	PB370US

**METHOD OF PAYMENT (check all that apply)**
 Check     Credit Card     Money Order     Other     None
 Deposit Account:Deposit Amount Number **08-3425**Deposit Account Name **Human Genome Sciences, Inc.**

The Director is authorized to (check all that apply)

Charge fee(s) indicated below     Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEES CALCULATION (continued)****3. ADDITIONAL FEES****Large Entity    Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	Fee filing a request for ex parte reexamination	
1804	820*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1527	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1400	130	1440	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1818	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2000	385	Filing a submission after final rejection (37 CFR 1.171(x))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.128(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

**SUBTOTAL (1) (\$ ) 0.00**

Total Claims	20	-21** =	0	Extra Claims	Fee from below	Fee Paid
Independent Claims	2	-6** =	11	X		0.00
Multiple Dependent						

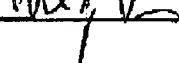
Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	06	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claims, if not paid
1204	86	2204 43 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$ ) 0.00**

\*\* or number previously paid, if greater. For Reissues, see above

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ ) 0.00**

(Complete if applicable)					
Name (Print/Type)	Mark J. Hyman	Registration No. (Attorney/Agent)	46,789	Telephone	(240) 314-1224
Signature		Date	May 13, 2004		

**OFFICIAL**

VIA FACSIMILE MAY 13, 2004

**RECEIVED  
CENTRAL FAX CENTER****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Patent Application of:  
Fraser et al.****Docket No.: PB370US****MAY 13 2004****Application No.: 09/830,228****Confirmation No.: 3255****Filed: September 13, 2002****Art Unit: 1645****For: Borrelia burgdorferi Polynucleotides and  
Sequences****Examiner: R. P. Swartz****PROVISIONAL ELECTION UNDER 37 C.F.R. § 1.143 WITH TRAVERSE AND  
AMENDMENT UNDER 37 C.F.R. § 1.111**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed April 13, 2004, please consider the following amendments, traversal, provisional election, and remarks. Applicants respectfully request that the Examiner enter the following amendments prior to examination of the captioned application. Applicants submit a Fee Transmittal Sheet concurrently herewith.

Applicants respectfully request the entry of the following amendments: